

**IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF NORTH CAROLINA  
ASHEVILLE CITY DIVISION  
1:07cv330**

**TAMMY A. MCMAHAN,**

**Plaintiff,**

**v.**

**MICHAEL J. ASTRUE,  
Commissioner of Social Security,**

**Defendant.**

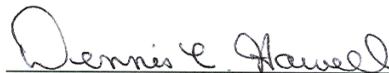
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**ORDER**

Pending before the Court is the Commissioner's Motion to Remand [# 36]. The Commissioner move the Court to remand this case pursuant to sentence four of Section 205(g) of the Social Security Act, 42 U.S.C. § 405(g). Counsel for Plaintiff consents to the motion. Accordingly, the Court **GRANTS** the Commissioner's motion [# 36] and **REMANDS** this case pursuant to sentence four of 42 U.S.C. § 405(g) so that the Appeals Council can remand the case to an Administrative Law Judge for a new hearing.

Signed: February 21, 2012



Dennis L. Howell  
United States Magistrate Judge

